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## **GOVERNANCE IN TRANSITION: MOTHBALLING MANITOBA'S COUNCIL ON POST-SECONDARY EDUCATION**

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Examining the Government of Manitoba decision in 2014 to eliminate the Council on Post-Secondary Education, this article argues that government sought to exercise greater control over the public post-secondary system and its institutions in the province for the purpose of exacting greater control over system integration. While the elimination of the agency was consistent with the elimination of similar agencies in other provinces, the article finds that the direction of the new post-secondary governance model is less collegial and less consultative with more emphasis on regulation, and ministerial influence than was the case with the previous intermediary model, continuing trends in Manitoba towards greater government control.

### **Introduction**

On June 17, 2014, the Legislative Assembly of Manitoba passed amendments to the Advanced Education Administration Act (AEAA), fundamentally altering the governance structure for the system of colleges and universities in Manitoba. In brief, the new act eliminated the Council on Post-Secondary Education (COPSE), ending the 47-year use of intermediary agencies as the model for governing post-secondary education in the province, turning that governance over to the minister responsible for colleges and universities. Undertaken with little notice (Martin, 2014) prior to being announced in the provincial budget, the passage of new legislation followed a brief but acrimonious public debate about the appropriate role of the government in the management of post-secondary education (Manitoba Legislative Assembly,

2014; Winnipeg Free Press, 2014). Interestingly, when the decision to eliminate COPSE was made public, little detail was announced regarding the new governance model (Enns, 2014).

Fundamental change in system-level governance occurs infrequently, and the transition from COPSE to a new governance structure presents an opportunity to better understand the motivations for, and impact of, such changes. This article explores the elimination of COPSE, arguing that in undertaking to govern post-secondary education in Manitoba using a departmental structure, the Government of Manitoba was seeking to establish greater control over, and better integration and coordination of, Manitoba's post-secondary system. In pursuing this argument, I seek to answer the following questions: Why was the intermediary model abandoned in Manitoba? What alternative system governance model did the government propose? How is post-secondary system governance being reframed in Manitoba?

By Manitoba's "system" of post-secondary education, I mean the constellation of post-secondary institutions<sup>1</sup> in the province, their type (e.g., university, community college), status (i.e., public or private), level (e.g., using *Maclean's* terminology, medical/doctoral, comprehensive, or undergraduate universities, or at the certificate or diploma level), or institutional specialization (e.g., applied, technical/vocational, university education; language/culture, or geographic focus). Additionally, the conceptualization of Manitoba's post-secondary system also includes governance processes (e.g., the funding process through which institutions receive operating and capital funds from government, tuition fee policy, or the regulations by which new and modified programs are approved by government). Given their key

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<sup>1</sup> Public institutions in Manitoba's post-secondary system include the University of Manitoba, University of Winnipeg, Brandon University, Université de Saint-Boniface, University College of the North, Red River College, and Assiniboine Community College. Private post-secondary institutions in Manitoba include the Canadian Mennonite University and its affiliate, Menno Simons College, Providence University College, and William and Catherine Booth University College. Another institution that offered post-secondary as well as secondary programming is the Manitoba Institute of Trade and Technology, an institution which operates in an ambiguous spot, being neither inside nor outside of the post-secondary system.

roles in these processes, the department and, during its existence, COPSE, are included within the province's post-secondary system.

This article proceeds as follows. After discussing the theoretical framework, intermediary agencies will be defined and factors involved in their elimination will be discussed. Next, the methodology used in the paper is explained, followed by a detailed exposition of the research findings. Implications are discussed and conclusions are presented with the dual purpose of answering the research questions and presenting recommendations.

### **Theoretical Framework**

Bleiklie reflects upon the massification of post-secondary education and its related increase in importance in economic and labour market development (2007). Bleiklie also notes that these phenomena, and the increase in public funding directed at post-secondary education, resulted in a growth in the sector's political importance "not only as a specific kind of activity but as a higher education system within which each institution (university, college, etc.) should contribute to the successful operation of the system as a whole" (Bleiklie, 2007, p. 392). Bleiklie argues that efforts by states to increase system integration can be expected to continue so as to ensure that the institutions forming the post-secondary system are coordinated, efficient, dynamic, and responsive, as well as of high-quality (2007).

Bleiklie (2007) notes that classical responses in terms of the organization of post-secondary systems have been centralization, common in smaller unitary states, and decentralization into regions, common in larger federal states. Drawing on New Public Management (NPM) thinking, Bleiklie identifies a revised approach whereby the responsibility for implementation and problem solving is decentralized to universities and colleges, and policy

and direction-setting is centralized with government. Without obviating a centralized or decentralized organizational approach at the state level, the NPM approach helps to resolve tensions that may exist between state oversight and institutional autonomy (Bleiklie, 2007).

State oversight of post-secondary education has shifted from being concerned about individual institutions to how institutions of all types operate as a coherent whole within a wider economic context. Bleiklie (2007) suggests that this has meant that states seek to manage the fiscal realities within which institutions operate, taking actions such as directing and controlling funding to influence activity, encouraging post-secondary institutions to “operate like market or quasi-market organizations striving to become entrepreneurial in their approach to teaching and research” (p. 392). This discussion parallels analysis regarding the impact of globalization on post-secondary education.

Skolnik (2005) argues that globalization has influenced post-secondary education in two ways: economic considerations such as productivity and labour force development are emphasized over civic or cultural considerations, something Bleiklie (1999) agrees with, and education has become a commodity to be marketed. “Universities have thus to an increasing extent come to be regarded as economic production units in the knowledge industry . . .” (Bleiklie, 1999, p. 521). Linking economic considerations with state activity, governments have also increasingly sought to “shape and standardize the conditions under which [institutions] operate in order to achieve political goals” (Bleiklie, p. 392), redefining the relationship between the state and post-secondary institutions (Bleiklie, 2007). Thus, integration of institutions into more coherent systems helps to serve societal and economic priorities, defined by political actors; accordingly, governments are more willing to give “firmer direction” to their post-secondary systems (Trick, 2015, p. 44), or, in Bleiklie’s terms, macro-steering (2007).

Implications for post-secondary education include the repositioning of institutions vis-à-vis institutional autonomy and the state. “The integration process seems to imply . . . that public authorities through legislation and other measures increasingly are likely to interfere in order to achieve an integration by which . . . institutions are required to adapt . . .” (Bleiklie, 2007, p. 398). Reflecting on the experience in post-Bologna Europe, integration also implies an inevitable progression towards the standardization of credentials. Bleiklie (2007) explains:

. . . students should have the opportunity to combine a wide array of subjects from different disciplines and if need be from different institutions. This makes it easier for them to adapt their education to changing labor [*sic*] market needs. This will make institutions more efficient, and the candidates they produce better prepared for their future professional careers. In order to do this, there must be a common degree structure and a common system of student evaluation and grading across all types of education. (p. 397)

Thus, Bleiklie asserts that integration requires a measure of standardization among the institutions forming a post-secondary system.

Bleiklie (2007) argues that this increasing integration of post-secondary education confronts the state with three questions. First, how should the state organize the relationship between institutions? As noted above, classic answers to this question have been either centralization or decentralization. Second, Bleiklie asks along what dimensions should integration take place? He argues that there are two major dimensions—functional and hierarchical. The functional dimension looks at the types of programs taught (e.g., nursing, engineering, vocational/technical). Functional integration thus conceptualizes system diversity horizontally. The hierarchical dimension considers the level taught (e.g., certificate, diploma, undergraduate, master, doctoral), and conceptualizes system diversity vertically. The third question Bleiklie identifies is process oriented, asking what the proper procedures are by which integration ought to take place; how does government effect integration? By helping to define the

state's approach to post-secondary systems, these questions help to frame subsequent analysis and discussion of the transition of post-secondary governance in Manitoba.

### **Intermediary Agencies in Canada**

The elimination of a post-secondary intermediary agency is not a unique event in Canada. Indeed, since the 1960s, nearly every province in Canada has introduced, employed, and eliminated intermediary agencies as a mechanism for governing post-secondary—and often just university—systems (Rounce, 2013). Within the context of the present research, it is useful to define post-secondary intermediary agencies and to explore their demise in Canada.

#### *Defining the Intermediary Agency*

Coinciding with the expansion of higher education beginning in the 1950s and 1960s, most provinces have experimented with the use of intermediary agencies to manage and coordinate their systems of higher education. While the structures and functions of each agency have varied considerably (Jones, 1997),

the intermediary body is one organizational mechanism by which many governments have sought to monitor the expenditure of public money by the universities while simultaneously respecting, to the extent practicable, their autonomy in the interests of preserving academic freedom. . . . The powers of intermediaries variously include: collection of institutional data, formulation of academic master plans, approval of new programs, discontinuance of existing programs, review of institutional budgets and allocation of system operating grants. (Southern & Dennison, 1985, p. 79–80)

Intermediary agencies were in part created to plan for and coordinate the expansion of post-secondary systems, regulate institutional aspirations (Gaber, 2003), maintain the balance between university autonomy and public accountability, provide advice to government, and, in some instances, exercise executive powers such as funding, allocation, and program approval

(Cameron, 1987), although possession of executive powers has tended to be the exception rather than the rule (Shanahan & Jones, 2007). Intermediaries often formally sit at arm's length from government. For example, COPSE, Manitoba's intermediary, was a separate statutory body from a government department, with a reporting relationship to the minister responsible for post-secondary education.

More recently, intermediary agencies have been established with a limited in terms of the issues that they manage. While the traditional intermediary agency addresses university and/or college issues broadly, specific-purpose intermediaries address just one or two aspects of the post-secondary enterprise. For instance, Ontario has established a body concerned with quality assurance at private post-secondary institutions, and has for years operated an agency concerned with managing university applications. Alberta has also established advisory boards and commissions, such as the Alberta Council on Admissions and Transfer (ACAT) (Southern & Dennison, 1985), as well as an agency concerned with quality assurance (Alberta, 2004). British Columbia also uses intermediaries for specific tasks in its post-secondary system, perhaps the best-known being B.C. Council on Admissions and Transfers (BCCAT), but also has in the past operated agencies such as Centre for Education Information Standards and Services (CEISS) and the Centre for Curriculum, Transfer and Technology (C2T2) to manage specific elements of post-secondary education in the province (Gaber, 2003).

While not discounting these newer, specific-purpose intermediaries, this analysis is concerned with Manitoba's intermediary agency, which aligns more closely with the more traditional intermediary agency. This defines the approach taken in the following pages.

*The Demise of Traditional Intermediary Agencies in Canada*

Traditional intermediary agencies have enjoyed an unsteady existence in Canada. Some provinces, “frustrated by their weak policy control of universities” (Cameron, 1991a, p. 53), as discussed above, have refocused the mandate and structure of such agencies on specific tasks such as quality or credit transfer or have abolished them outright (Jones, 1997), transferring responsibility for post-secondary policy education to a government department. The Manitoba example that is the subject of the present article is one of the abolition of a traditional intermediary agency, and it is helpful to examine other provinces’ experiences in this regard.

The University Council of British Columbia was established in 1974 as an intermediary agency to manage university issues, including exercising executive powers relating to the allocation of resources and program approval (Cameron, 1991b). The body operated until the late 1980s, when universities began to question its advocacy role with government, expressed concern over leadership, and criticised the equity of its allocation of limited government grants. Government too began to question the effectiveness of the council’s authority to rationalize the activity of the universities and its ability to provide adequate accountability for the expenditure of government monies (Southern & Dennison, 1985). Ultimately, BC’s universities council was abolished in 1987 amid general concerns about government expenditures (Cameron, 1991b) and the dissatisfaction of both the government and the universities, both believing that the council simply had “gotten in their way” (Cameron, 1991b; Gaber, 2003).

In Alberta, two commissions were established during the 1960s, the Alberta Universities Commission and the Alberta Colleges Commission, and both wound up their operations in 1973. These commissions faced government opposition on two counts. First, both were established by the previous Social Credit government, and the incoming Progressive



Conservative government was indifferent to the initiative (Cameron, 1991b). Second, government was unhappy with the poor coordination between colleges and universities, and the fact that the intermediaries were perceived by institutions as obstacles to direct access to government (Cameron, 1991b). Dissolution was seen as a way to ensure “more efficient and effective planning, and would help to solve continuing problems associated with credit transfer and status between the universities and colleges . . . [and would] ensure more accountable action by government” (Southern & Dennison, 1985, p. 78).

In contrast to the BC and Alberta experience, the Saskatchewan Universities Commission, established in 1974, was opposed principally by the universities who resented the commission’s intrusion into institutional matters (University Review Panel, 1993). Furthermore,

. . . university officials saw this commission as an unnecessary level of government bureaucracy and preferred to deal directly with the government. In addition . . . the universities commission was an obstacle to . . . effective and integrated post-secondary education planning. To continue the existence of the commission would have been a waste of taxpayer’s money. (Cameron, 1991b, pp. 255–256)

Ultimately, the Saskatchewan Universities Commission was wound up in 1983 and its duties were integrated into a government department (Cameron, 1991b).

Cameron (1991b) summarizes that intermediaries have “frustrated governments because they could do little to force coordination of university programs and activities” (p. 154). This observation is borne out in Canadian provinces’ experiences with intermediaries, where governments have expressed concern over the lack of success in credit transfer, poor rationalization, incomplete accountability, and poor planning. A more contemporary dimension of coordination has also been suggested by Rounce (2013), positing that governments, including the Government of Manitoba, have closely linked their post-secondary policy with economic policy, making a direct connection between post-secondary policy and opportunities for people,

and long-term competitiveness for the province. This conceptualization is consistent with Bleiklie's analysis, presented above, and Smith (2011) demonstrates the linkage between globalization and the direction taken by Manitoba's post-secondary system over the long term, suggesting that governments may seek better coordination of post-secondary education with the economy, immigration, and other factors to help solidify provincial competitiveness in the context of globalization.

The experience in other provinces with traditional intermediary bodies also demonstrates considerable frustration by universities with the intermediary model of post-secondary governance (Cameron, 1991b). This includes dissatisfaction with intermediaries that become overly involved in institutional matters, as well as the perception that they are generally "in the way" of institutional access to government. In addition, Cameron (1991b) notes that institutions have in other provinces been unhappy with intermediaries' inability to garner additional resources for their respective post-secondary institutions, a factor relevant in both the dissolution of the Ontario Council on University Affairs in 1996 (Smith, 1984; Sossin, 2005; Trick, 2015) and the elimination of the Nova Scotia Council on Higher Education in 1996 (Clark, 2003).

This brief review of provincial experiences reveals varied and nuanced reasons why provinces wound-up their intermediaries, but also identifies two commonalities in the decision to eliminate the agencies. The first is dissatisfaction on the part of institutions with the intermediary, such as the perception that the intermediary is interfering in institutional affairs, the inability to garner additional resources from government for the system, or being seen as a barrier to access to government. A second common factor in intermediaries' demise is dissatisfaction on the part of provincial governments, which may not support the intermediary

politically, or may be unhappy with accountability for decision-making or with the efficiency and effectiveness of the intermediary, want better use of public dollars, or be concerned about poor coordination provided by the intermediary for the system either generally or in specific areas such as credit transfer. It is noteworthy that, where intermediaries were abandoned, a government department was extant or recently created and ready to take on system governance tasks. In none of the cases observed was a department specially created to fill the void left by an abolished intermediary; an alternative framework was already in place. With this historical perspective in mind, the remainder of this article will assess the decision taken in Manitoba. After outlining the research methodology, a more complete analysis of the decision taken in Manitoba will be presented.

### **Method**

This article uses qualitative methodology and narrative exposition, examining the historical trends relating to intermediary agencies in Manitoba and analyzing legislative change to better understand the implications of Manitoba's post-secondary system governance transition in 2014. Legislative analysis focuses specifically on amended legislation introduced in the spring of 2014, the Advanced Education Administration Act (AEAA). Additionally, and drawing on the author's experience working at COPSE from 1997 to 2012 and continuing work within a public institution in Manitoba's post-secondary system, participant observation is also an important method helping to explain, interpret, and understand the changes that took place in the summer of 2014. Finally, a chief method used is document analysis, drawing on records of debate in the Legislative Assembly, official reports and other sources.

## **Findings**

Analysis revealed two principle findings associated with the decision by the Government of Manitoba to eliminate COPSE. First, since announcing the decision, government expressed a variety of specific and general reasons for winding up COPSE that are in keeping with the experiences of other provinces. Second, analysis is presented pertaining to the AEAA, the legislation that replaced the Council on Post-Secondary Education Act (COPSE Act) demonstrating that the changes implemented are intended to increase ministerial influence and reduce institutional influence in system governance. After briefly reviewing the history of the use of intermediary agencies in Manitoba, these findings are presented in detail.

### *Intermediaries in Manitoba*

The significance of the government's action in eliminating COPSE is better understood through a review of the history of the intermediary model in Manitoba. Manitoba has employed intermediary agencies since the 1967 establishment of the Universities Grants Commission (UGC), and the use of such agencies continued unbroken for 47 years, ending in 2014.

While the UGC was not responsible for colleges, which continued to be managed by a government department, the UGC was assigned two basic responsibilities in relation to universities: "to provide the government with an objective assessment of the universities' needs; and to apportion the annual provincial grant among the . . . public institutions" (Gregor, 1995, p. 6). In carrying out its duties, the nine-member government appointed agency principally approved new and modified programs, allocated funding to each university, and provided advice regarding university education.

Throughout its 30-year history the UGC demonstrated considerable resilience, surviving the creation of a Department of College and University Affairs in 1971 (Cameron, 1991b), a mid-1970s cabinet review (UGC–MCC, 1975), the demise of a formula funding model (University of Manitoba, 1993), criticisms from universities relating to the UGC’s attempt to establish missions for each university (Levin & LeTourneau, 1991), and criticisms that the agency was too close to government (University of Manitoba, 1972; University Education Review Commission, 1993). The UGC continued to function until 1997, when its legislation was repealed and the agency was replaced by COPSE.

COPSE, established in 1997, like the UGC before it, had considerable powers and independence for action given to it through its enabling legislation. COPSE was composed of 11 members, and again like the UGC, all of the COPSE members were appointed by government. COPSE also continued with the powers that were given to the UGC—program approval, funding allocation, and other more general powers relating to system coordination and planning, although these latter powers were underutilized (Smith, 2014).

Support for the intermediary model remained strong in the first part of COPSE’s existence. The 2002 *Review of the Manitoba Council on Post-Secondary Education* (the *Mallea Report*) indicated that there was broad support in the post-secondary system for the continued use of an intermediary in Manitoba (Mallea, 2002). However, in that same report was expressed a concern, not dissimilar to those expressed regarding the UGC, that the relationship between COPSE and government was unclear and that perhaps too close (Mallea, 2002). A second review, undertaken in 2009, reflected similar findings with respect to the relationship to government, but less robust support on the part of institutions for the use of an arm’s length agency in governance (Prairie Research Associates, 2009). COPSE operated for 17 years, from

1997 until its dissolution in 2014, and when considering the period the UCG operated, Manitoba had employed an intermediary agency for a total of 47 years, from 1967 to 2014. The elimination of the intermediary concept in post-secondary governance represents a significant change in the province's post-secondary system.

### *Why Was COPSE Eliminated?*

When government announced the elimination of COPSE, it provided reasons which fall into two categories. First, government focused on effective and efficient operation of the system, referring at different times to improving efficiency (Lambert, 2014a; Manitoba, 2014a), reducing red tape (Martin, 2014; Lambert, 2014b), reducing duplication (Lambert, 2014b), keeping the post-secondary system affordable (Enns, 2014), and allowing more effective decision-making (Manitoba, 2014a). A second general category suggested reasons for eliminating COPSE related to improving coordination, emphasizing greater credit transfer (Manitoba Legislative Assembly, 2014), developing an integrated system of post-secondary education (Manitoba Legislative Assembly, 2014), and increasing the responsiveness of post-secondary institutions in terms of meeting labour market needs (Enns, 2014; Manitoba, 2014a). Cogently summarizing these reasons, the last chairperson of COPSE, serving from 2011 to 2014, Curtis Nordman, noted that the minister wanted greater system coordination and a stronger systemic approach to post-secondary education in the province (Manitoba Institute of Policy Research, 2014a).

When assessed in the perspective of historical examples of the elimination of intermediary agencies, the reasons for eliminating Manitoba's intermediary align closely with experiences elsewhere in Canada. A review of the recent history of COPSE and the perceptions of stakeholders about the intermediary agency reveal that the factors that lead to the demise of

other intermediaries were operative in Manitoba, and that government and institutions had become dissatisfied with the overall effectiveness of COPSE and its ability to provide coordination for the post-secondary system in the province.

In the 2009 review of COPSE, it was explicitly stated that most stakeholders in the system believed that COPSE was only somewhat effective (Prairie Research Associates, 2009). It was clear that doubt was being expressed by institutions (Prairie Research Associates, 2009) and by academic observers of governance (Rounce, 2013; Smith, 2014), as to whether or not COPSE could fulfill its mandate. Indeed, Dr. Nordman, stated that as late as May 2014, after the decision to eliminate COPSE was announced, he was “not convinced that COPSE could ever discharge its role” (Manitoba Institute of Policy Research, 2014b). The effectiveness of COPSE was indeed being questioned throughout the post-secondary system.

It is also clear that institutions and government were frustrated with the inability of COPSE to coordinate the system. Government implied this directly by stating that improved credit transfer is an explicit objective of the elimination of COPSE (Manitoba, 2014c). This frustration had been increasing in recent years. A 2011 institutional credit transfer agreement (Advanced Education and Literacy, 2011) negotiated between institutions with significant government involvement explicitly excluded COPSE from all aspects of the agreement save a communications function (Smith, 2014). During the discussions leading to the 2011 transfer agreement, a process within which the COPSE secretariat participated, COPSE was increasingly left out of the process to the point where the agreement was concluded between institutions and government directly, without involving COPSE.

Interestingly, government did not take on directly the task of managing credit transfer. Within the same timeframe as COPSE’s elimination, government moved to refocus Campus

Manitoba, a distance delivery clearing house for online and distance courses offered by universities and colleges in the province, giving it, among other duties, the responsibility to coordinate credit transfer in the post-secondary system (Manitoba, 2014b)—a task that was specifically given to COPSE in its enabling legislation. There is a measure of irony to this given the fact that Campus Manitoba was created by the Council on Post-Secondary Education (Rounce, 2013). It would appear that government believed that its post-secondary intermediary agency was unable to provide such coordination.<sup>2</sup>

Further dissatisfaction was expressed by the public colleges and universities falling directly under the authority of COPSE with other aspects of coordination. One such area pertained to COPSE's role pertaining to the approval of new and significantly modified programs at colleges and universities. Institutions noted the lack of guidelines and the absence of feedback on programming decisions made by COPSE, especially where those decisions led to no additional funding for programs that were nevertheless approved by COPSE (Prairie Research Associates, 2009). Beginning late in 2009, COPSE began to address such concerns by beginning to revise its program approval process, meeting with institutions, developing a consultation paper, and seeking feedback. Yet by the time COPSE was dissolved, no new process had emerged, although discussions with college and universities suggested that a new process would be available sometime in late 2014 or early 2015 (Manitoba, 2014a).

Also in relation to system coordination, institutions have expressed concern about the inability of COPSE to develop a coherent plan for the system (Prairie Research Associates,

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<sup>2</sup> This belief was well founded, given that COPSE had never been resourced to manage credit transfer. Throughout its existence, and certainly at the point of its dissolution, COPSE staff counted 3.5 staff years with specific responsibilities for all aspects of program management, including approval and approval processes and institutional relations, and there was no funding to create or manage a credit transfer database or other such system. Only one staff person—the Director of Strategic Initiatives—had responsibility for credit transfer, and this was in addition to other duties.



2009). Indeed, as reported in early 2002, “the prevailing perception among stakeholders is that priorities are established by government and the institutions, not [COPSE]” (Mallea, 2002). Smith (2014) lays out in detail the history of COPSE’s inability to develop anything beyond a plan for its own operations; no system level plan ever materialized, despite COPSE having considerable legislative authority in this area to do so (Smith, 2014).

Other factors were at play in Manitoba that portended the dissolution of COPSE. For instance, in recent years COPSE had been becoming heavily involved in matters that were typically considered institutional issues (Smith, 2014), echoing the experience with the Saskatchewan Universities Commission. Further, some institutions and other stakeholders had noted that COPSE served as a barrier to interactions with the minister and other government officials (Mallea, 2002; Prairie Research Associates, 2009)—which may have been particularly poignant given that some stakeholders believed that decisions were taken by government, and not COPSE (Mallea, 2002; Prairie Research Associates, 2009). This concern had been expressed as early as 1993 (University of Manitoba, 1993).

It appears that the elimination of COPSE was predictable, and contributing factors were in place for more than a decade in advance of the actual decision to wind up the agency. It is, however, difficult to identify a tipping point that made 2014 the right time to act. After 15 years of NDP rule in Manitoba, COPSE’s elimination cannot be ascribed as a political decision simply because it was a Progressive Conservative government that initially established COPSE in the late 1990s. While specific motivations have not been revealed, perhaps the catalyst was the experiences of James Allum when serving as penultimate chairperson of COPSE from 2007 to 2011 before winning election to the NDP government in Manitoba, as suggested by Nordman (Manitoba Institute of Policy Research, 2014b). Regardless, the decision to eliminate COPSE

appears to have been based on reasons that are very similar to past decisions taken by other provinces to wind up their own post-secondary intermediary agencies; post-secondary institutions and Manitoba's provincial government had become dissatisfied with COPSE on a variety of matters that relate to coordination of the system. A specific reason frequently presented by government for the elimination of COPSE appears to have been frustration with the inability of the intermediary to establish an effective mechanism to facilitate credit transfer in the province.

### *Increased Ministerial Influence*

While the specifics of the new departmental governance structure were not clear as of mid-2015, the role given to the minister can lend clues as to the intent behind the elimination of COPSE. As reflected in both the process leading up to the introduction of the AEAA in the legislature, and in the content of that act itself, it appears that the central intent for government in eliminating COPSE was to increase its influence over colleges and universities in the province. Indeed, then Education and Advanced Learning Minister, James Allum, himself stated that “. . . the intent . . . was to allow the minister a more clearly active role in the system. . .” (Lambert, 2014b).

The unanswered question is, Just how active will the minister's role be? One way to assess this is to examine what the lead-up to the AEAA and the content of the act itself suggest with respect to the level of collaboration that could be expected between government and the post-secondary system in a new governance model. A reasonable approach to assessing how active the minister will be is to examine the level of advice sought by government from the post-secondary system on the elimination of COPSE. A second useful approach is to examine various

provisions within the AEAA itself in comparison with the previous legislation, the COPSE Act, to understand how the new law incorporates the requirement of government to consult, advise, assist, and cooperate with colleges, universities and with students on issues on an ongoing basis on post-secondary matters.

*Consultation on the Advanced Education Administration Act.* In this section, *consultation* refers to formal discussions with stakeholders and the public on changes to Manitoba's post-secondary system governance model. The analysis seeks to compare the consultation on the AEAA with consultation processes used in the past when changes to governance were considered. This analysis is summarized in Table 1.

Government announced its decision to wind up COPSE in March, 2014. At that time, government said little on what the new system governance model would look like. Explaining this shortly after the announcement, Nordman, indicated that the minister did not wish to “come forward with a *fait accompli*” (Manitoba Institute of Policy Research, 2014b) in terms of details as to how the system would be governed, suggesting that more was to come. Giving his explanation of why COPSE was wound up, Nordman continues, noting that the

Minister held the chairmanship of COPSE prior to me, so, I think he had his own views on the utility of the organization and that may speak to why he moved in the way he has. But he hasn't defined what those mechanisms are. . . . I'm not sure where we're going with this either. (Manitoba Institute of Policy Research, 2014b)

These remarks suggest two things. First, it was the government's specific intention to eliminate COPSE without having details on a replacement waiting in the wings – as Dr. Nordman indicated, there was no *fait accompli*, at least beyond the actual elimination of COPSE, to announce. Second, taking Nordman at his word, as the chair of COPSE he was not made aware of what direction the new system governance process would take. It seems clear that there was

no detailed system of governance that was pre-determined at the time COPSE was dissolved. As of June 2015, no consultation process had been undertaken or announced to include post-secondary stakeholders in the development of a new model.

This last point is interesting in the light of the history of Manitoba's post-secondary system. The process surrounding the decision to change the governance model in Manitoba followed a very different course than past post-secondary governance changes. Prior to 2014, three major changes and one attempted change occurred to Manitoba's post-secondary system governance model. As shown in Table 1, below, each was preceded by formal consultation processes that were robust, complete, and lengthy.

Table 1  
*Past Governance Changes in Manitoba Post-Secondary Education*

<b>Consultation Process</b>	<b>Outcomes</b>
In 1907, the Royal Commission on the University of Manitoba was established, reporting three years later in 1910 on the relationship of the university to the various other colleges in the province, as well as the university's relationship to the province of Manitoba (Gregor, 1974).	Established the basic structure of the University of Manitoba in terms of internal governance and its relationship to government.
In 1965, a 16-member Council on Higher Learning was established as an advisory body to provide recommendations regarding "the best lines of development for the universities and colleges in the province" (Cameron, 1991b), taking into consideration the changing circumstances of the post-secondary environment and making recommendations as to next steps (University of Manitoba, 1972).	Recommended the establishment of the University Grants Commission in 1967, the establishment of community colleges, as well as the creation of Brandon University and the University of Winnipeg as separate universities from the University of Manitoba.
The 1973 Task Force on Post-Secondary Education, called the Oliver Commission after Michael Oliver, then president of Carleton University, conducted extensive consultations and discussion across the province (Gregor, 1995).	Made recommendations regarding regionalizing post-secondary education in Manitoba and establishing a post-secondary council to govern both college- and university-level education. Ultimately, no action taken on the recommendations.
The University Education Review Commission (1993), commonly referred to as the Roblin Review, conducted a year-long public consultation process leading to the establishment in 1997 of COPSE.	Made a number of detailed recommendations regarding governance, community colleges, and the structure and duties of COPSE. The development of the COPSE Act, beginning in late 1995, saw an additional year-long process led by an Interim Transition Committee composed of government appointees that developed the legislation.

In March 2014, and without any public consultation, the change to the governance system was announced and put into effect with new legislation just three months later. While there was some indication that university presidents were aware of the potential elimination of COPSE, the specific details of the AEAA were not learned by post-secondary institutions until the bill was first introduced in the legislature in April 2014 (Martin, 2014). It would be unfair to say that the government was insensitive to concerns raised by stakeholders—changes in the legislation were made late in the process (Axworthy, 2014; Lambert, 2014a; Lambert, 2014b) that reduced the minister’s involvement in the system. Table 2 compares the text of Bill 63, the original bill introduced in Manitoba’s Legislative Assembly, with the approved version included in the AEAA. The introduced changes reflected government’s response to the controversy that attended the bill, focusing on concerns that government was intervening inappropriately in institutional affairs (Axworthy, 2014; Lambert, 2014a; Lambert, 2014b; Martin, 2014).

Table 2  
*Bill 63 and the Final AEAA Compared*

<b>Original (Bill 63)</b>	<b>Final (AEAA)</b>
<b>Role of the minister</b> <b>2(1)</b> The minister is to lead the development of a post-secondary education and advanced learning system in Manitoba that <ul style="list-style-type: none"> <li>(a) promotes excellence;</li> <li>(b) is accessible and affordable; and</li> <li>(c) is coordinated and appropriately integrated.</li> </ul>	<b>Role of the minister</b> <b>2(1)</b> The minister is to facilitate the development of a post-secondary education and advanced learning system in Manitoba that <ul style="list-style-type: none"> <li>(a) promotes excellence;</li> <li>(b) is accessible and affordable;</li> <li>(c) is coordinated and appropriately integrated; and</li> <li>(d) respects the appropriate autonomy of educational institutions and the recognized principles of academic freedom.</li> </ul>
<b>Mandates</b> <b>2(4)</b> The minister may, in consultation with universities and colleges, develop a mandate for each university and college to ensure that <ul style="list-style-type: none"> <li>(a) Manitoba's post-secondary education and advanced learning system is coordinated and appropriately integrated; and</li> <li>(b) unnecessary duplication of effort and expense within the system is avoided.</li> </ul>	<b>Mandates</b> <b>2(4)</b> The minister is to advise and assist each university and college in developing a clear mandate to ensure that <ul style="list-style-type: none"> <li>(a) Manitoba's post-secondary education and advanced learning system is coordinated and appropriately integrated; and</li> <li>(b) unnecessary duplication of effort and expense within the system is avoided.</li> </ul>
<b>Members appointed by minister</b> <b>10.11(4)</b> The minister is to appoint at least five persons to the advisory committee.	<b>Composition of advisory committee</b> <b>10.11(4)</b> The advisory committee is to consist of at least eight persons appointed by the minister. In appointing members, the minister must ensure that post-secondary students, post-secondary faculty, post-secondary administrators, kindergarten to grade 12 learning, adult education, labour, business and industry are each represented by at least one appointee.

These changes to Bill 63 demonstrate two things. First, the bill reflected a desire to increase the minister's role in the system. Government's initial effort in replacing the COPSE legislation sought to increase control over the system through giving the minister new powers to establish institutional mandates as well as a broad ability to "lead" the system—something previously ceded to COPSE in an assisting capacity. Second, the changes demonstrate that colleges, universities, and students continued to have sufficient influence to blunt attempts by government to achieve more intrusive objectives in legislation. The requirement of the minister to "facilitate," and to "advise and assist," plus the additional detail regarding the membership of the advisory committee, reflect a structural return, at least to some extent, of the consultative

nature that was more prevalent in the previous COPSE legislation—a situation discussed in more detail below. These late-stage amendments did not reverse, but did slow, the loss of consultation and collegiality inherent in the first draft of Bill 63.

The changes made during the legislative debate reflected reaction to concerns raised by students and post-secondary institutions. Notwithstanding these changes, the government's approach taken in 2014 was in stark contrast to precedents set in terms of major policy changes in post-secondary education in Manitoba. The manner in which the 2014 change was introduced and put into effect signals an apparent lack of interest by government in working in partnership with post-secondary stakeholders (including students) to develop system governance processes.

*Consultation in the Advanced Education Administration Act.* This section examines through comparison between the AEAA and the COPSE Act the duty in legislation of government to consult with post-secondary institutions and students on various matters. In this section, *consultation* refers to ongoing processes established in legislation designed to contribute to system governance. The previous COPSE Act included nine instances where it was mandatory to consult with colleges, universities, or students. In comparison, the AEAA includes the requirement to consult with colleges and universities in only four places, and there is no obligation to consult with students on any specific item. The sections from both acts where consultation is required are shown in Table 3, below.

Table 3  
*Consultation in the COPSE and AEAA Acts*

<b>COPSE Act Section Requiring Consultation</b>	<b>AEAA Section Requiring Consultation</b>	<b>Comments</b>
Preamble: consult on coordination of the system	--	In the AEAA, system coordination is the minister's responsibility.
11(a) Duties: assess the financial needs of the colleges and universities	--	Budgeting in the AEAA is solely within the purview of the Minister
11(c) Duties: advise and assist with respect to programs	2(2) Carrying out role: advise and assist with respect to programs	
11(d) Duties: advise and assist with respect to institutional mandates	2(4) Carrying out role: advise and assist with respect to institutional mandates	
11(e) Duties: cooperate with colleges and universities with respect to accountability	Section 2(5) Accountability Measures	
12(b) Powers: institutional specialization and cooperation	--	
12(e) Powers: consult regarding tuition fee policy	--	The AEAA presents very specific guidance as to how tuition fees increase at universities. College tuition is not addressed in the act.
18(1) Annual Funding Plan: inquire into the financial resources of the colleges and universities	--	
25.8(1) Consult on policy for designating professional degree programs <sup>3</sup>	10.9(1) Guidelines for Specialized Degree Programs.	No requirement to consult in the AEAA.

Comparing requirements to consult in the new legislation with the old suggests that governance of Manitoba's post-secondary system under the AEAA is less of a shared responsibility; institutions are more subject to direction and less partners in the process. Additionally, and in contrast to the COPSE Act, there is no obligation to consult with students on any matter. In particular, two key policy areas—tuition fees and funding—have shifted away from being more of a shared responsibility. Under the new legislation, universities are subject to tuition fee policies of government. Government has exercised direct control over tuition in

<sup>3</sup> Compare COPSE 25.8(1) to AEAA 10.9(1). This is an interesting change. Both sections relate to tuition, and, except for the change in the term “professional” (COPSE) to “specialized” (AEAA) programs, the clauses are the same. Because the term was changed in legislation, one can assume that the change has substantive meaning. That meaning, however, is unclear.



Manitoba for more than a decade, and so the revised and highly regulated regime established by the AEAA is not a significant change (Manitoba Institute of Policy Research, 2014b).

Nevertheless, for a government that has made tuition fee policy a centerpiece in its policy program since being elected in 1999 (Rexe, 2014), and given the role that student associations and organizations such as the Canadian Federation of Students has played in tuition fee policy in Manitoba, the elimination of the requirement to consult with students is, at the very least, unexpected.

The duty to consult on funding in the AEAA, however, is definitely a different approach from that of the COPSE Act given that funding sustainability is among the most important issues facing post-secondary education in Manitoba (Manitoba Institute of Policy Research, 2014a). The duty to consult on funding has been a long-standing practice in Manitoba's post-secondary system, where the process had always included regular meetings with institutional administration and COPSE, and meetings with students and COPSE (COPSE, 2012). Although not required by the legislation, COPSE also met with faculty associations when developing budget recommendations for government (COPSE, 2012). The implications of the absence of a parallel requirement in the AEAA are not yet known. Government might continue to consult in a similar fashion, or may not: there is no obligation to do so under the new governance framework. It remains to be seen how the minister will develop the budget on an ongoing basis under the AEAA. What is clear is that the legislative obligation for government to consult with post-secondary education institutions and stakeholders on funding and budgetary matters no longer exists.

In place of a consultative and collegial approach focused on specific issues, the AEAA establishes a committee composed of post-secondary, secondary, adult education, business, and

labour stakeholders, as well as students. While by June 2015, the advisory committee has met several times, the membership has never been announced but is known to include institutional presidents, the head of the Manitoba Teachers' Association, school division superintendents, and at least one chair of a regional health authority. The advisory committee provides advice in general areas such as the direction and priorities for post-secondary education, labour market linkages, and issues of coordination, as well as other issues that the minister may bring to the committee. For example, the advisory committee contributed to developing a provincial post-secondary strategy (Manitoba, 2015a). While not ignoring the participation of the system in governance, because the agendas for the advisory committee and its subgroups (discussed in greater detail below) are set by government, this structure reduces the specificity upon which government consults with stakeholders on matters affecting post-secondary education, and removes much of the required consultation for areas such as funding or tuition fee policy.

At the same time, the AEAA establishes a more robust regulatory framework for post-secondary education than had been in place previously. Again different from the COPSE legislation, the AEAA gives specific regulation making powers to the minister. In particular, regulations are required in Section 9.7(1) and 11.2(1) pertaining to the regulation of academic programs, in Section 10.4 for course-related fees, and in Section 12 for the establishment of classes of institutions in the system. By way of comparison, COPSE has just one regulatory power, Section 28, a general regulation-making power that was never acted upon, and indeed may not have been actionable because regulation-making powers in legislation typically specifies the subject of regulation.

The AEAA, in contrast to the COPSE Act, reflects a new reality for colleges and universities in Manitoba: regardless of how the system governance model is redefined, in its

specifics, institutions are to a greater extent subject to, and not partners in, system governance arrangements; there is less consultation and collegiality built into governance arrangements and more regulation. While COPSE had been criticized as being overly controlled by the minister (Mallea, 2002), the AEAA establishes a framework that formally recognizes that the minister has more direct power over the system and also establishes fewer requirements to consult than under the COPSE Act.

### *The Post-COPSE Era*

Findings to this point have explored the dissolution of COPSE and the steps taken legislatively to fill the gap created by the intermediary agency's demise. In order to find greater meaning in these activities, it is useful to reflect upon the dissolution of COPSE within the context of recent activities that have been newly established or intensified since COPSE's elimination. A useful approach is to undertake such a reflection using the three questions Bleiklie contends that states must address when considering increased integration of their post-secondary education systems.

Answering simultaneously Bleiklie's first question (How should the relationship between institutions be organized?) and his third (What are the procedures by which integration should occur?), government in Manitoba sought to manage the system directly, centralizing power within a government department while at the same time decentralizing implementation.

In accordance with the AEAA, an advisory committee was established to provide advice to the Minister of Education and Advanced Learning on those matters that the minister brings to the table. To date, that advice has been centered on the creation of a provincial strategy for post-secondary education (Manitoba, 2015a). Additionally, a committee of vice-presidents

academic, which was established prior to the dissolution of COPSE, but which has since established two working groups, one comprised of registrars, deans, and others to develop greater definition around credit transfer, and another working group to develop guidelines for the establishment of a common credential structure in the system (termed “credential taxonomy”). Additionally, at about the same time the elimination of COPSE was announced, working groups, also composed of deans, registrars, and similar institutional officials, were established within the framework of eCampus Manitoba to discuss operational aspects of creating more online courses and broadening their delivery, as well as to consider operational factors relating to credit transfer for online courses. The activities of all of these working groups are designed to support Manitoba’s post-secondary strategy, announced in June 2015, and are designed to allow students greater mobility between programs and institutions, allowing “students to obtain credits for prior learning and to earn degrees through coursework taken across multiple institutions” (Manitoba, 2015b)

This activity suggests that, since the dissolution of COPSE, government appears to be organizing institutional relationships along hierarchical dimensions, integrating the system vertically through focusing on developing relationships between programs, fostering a ladder approach (Manitoba, 2015b) through developing strategic priorities, and establishing a consultative framework whereby institutions participate in the implementation of those strategic priorities. Thus, these structures help to clarify how Manitoba’s revised post-secondary governance structure will operate, suggesting that the elimination of the formal obligation to consult previously found in COPSE’s enabling legislation has been replaced with less formal but very active working group consultation processes on government-defined priorities in the system.

The second question (Along what dimensions should integration take place?) is trickier to answer, but only because the operation of post-COPSE governance processes are in their infancy. Interestingly, a comprehensive explanation of the intended operation of the new governance system has not been communicated. Even the membership of the minister's advisory group, mandated in the AEAA, has not been announced despite the fact that its membership is not confidential and the committee has been operative since late 2014/early 2015. The new post-secondary strategy, a written document with articulated priorities, and the advisory structures that have been established, all suggest that initial government issues being managed within the developing governance structure is related to student mobility and access through the mechanisms of online education and credit transfer. This suggests that system integration is an important objective of government, and supports the findings above that it was a principal reason for the elimination of COPSE.

While the dissolution of COPSE has increased the power of the minister within Manitoba's post-secondary system and reduced the legislated obligation to consult on post-secondary matters, activities during the post-COPSE period have shown that government has consulted narrowly on strategic matters—the minister's advisory group was the only group within the system that was consulted on the post-secondary strategy announced in June 2015. However, government appears willing to consult more broadly with institutional representatives on matters relating to the implementation of that strategy. This echoes Bleiklie's assessment of the redefined relationship between government and their systems of post-secondary education: “. . . responsibilities for problem solution have been decentralized, power has been . . . centralized” (Bleiklie, 2007, p. 396).

## **Discussion and Conclusion**

This article contributes to the understanding of post-secondary education through examining the transition of post-secondary system governance in Manitoba. Various different concerns had been expressed by post-secondary institutions in Manitoba regarding the intermediary agency in the years preceding the decision to eliminate COPSE, and the Government of Manitoba had been progressively relying less on COPSE to govern the post-secondary system within the last decade (Smith, 2014). Given this, and the experience with post-secondary intermediary agencies in Canada, it should not have been unexpected that COPSE was wound up. Yet, when announced, the decision was nevertheless a surprise in part because it was not preceded by a consultation process of the type that had been witnessed in previous post-secondary governance changes in the province. Subsequent activity in the post-COPSE era suggests government favours a more directive approach on strategy while working more closely with institutions on implementation of that strategy.

This article began with three research questions that have been answered throughout the analysis. First, while there were a number of reasons why government and institutions were unhappy with COPSE, the intermediary model of post-secondary governance was abandoned in Manitoba primarily because government was particularly unhappy with the level of integration within the system, particularly credit transfer and other issues of student mobility. Government-led activity post-COPSE supports statements of the minister and others that greater credit transfer and student mobility was a principal motivator for the dissolution of COPSE.

The second research question sought to identify the alternative model that was proposed. Apart from reverting to a departmental model of governance, little detail was provided after the decision to eliminate COPSE was announced, which is in contrast to the last governance

change in 1993 where the model was explained in some detail. As the last chairperson of COPSE has suggested, the intention was specifically *not* to identify a new model as a *fait accompli*. However, as of mid-2015—more than a year after the decision was announced—no details have been articulated regarding specifics of the new governance arrangement. The bureaucratic organization that supported COPSE continues to exist in more or less the same form, while vital processes such as program approval or budget consultation continue to be under development. Far from the laudable goal of not wanting to be overly prescriptive in the transition to a new governance model (especially in the absence of more complete consultation), the length of time taken for such details to emerge increasingly suggests that government did not know how to proceed once COPSE was actually eliminated.

Finally, the article sought to understand how government is reframing post-secondary system governance in Manitoba. In sum, the Government of Manitoba appears to be consolidating its efforts over the last number of years (Smith, 2014) to exercise more influence over the post-secondary system. In the 16 months since the March 2014 announcement of the elimination of COPSE, decisions and actions of government suggest an approach that keeps strategy development centralized within Manitoba Education and Advanced Learning, while working with institutions on the implementation of that strategy. At least in the first year or so after COPSE was eliminated, the structure that is developing appears to be less consultative at the strategic level than the intermediary model in Manitoba allowed, yet it appears to be participatory at the implementation level.

The elimination of COPSE reflected the desire of government to better organize the post-secondary system and improve system integration so as to allow students greater mobility, helping government to achieve social and economic—and thereby political—objectives. While

these objectives are not unknown in other jurisdictions, the method by which government chose to act matters: there are practical implications specifically related to the loss of COPSE for the institutions within Manitoba's post-secondary system. Trick (2015) remarks that one implication of the elimination of an intermediary agency is the loss of mediation between the institutions and government. Acknowledging that the independence of intermediaries has been questioned throughout their existence in Manitoba, with the "buffer" gone, institutions have lost an important forum within which to participate collegially in system development.

In Manitoba, collaboration within the system outside of the governmental framework has generally been weak—perhaps not unexpected where intermediaries have been in use for 47 years, a period of time comprising the entirety of the history of Manitoba's contemporary post-secondary system at the point of COPSE's elimination (Smith, 2011). One forum, the Council of Presidents of Universities in Manitoba (COPUM), exists as a mechanism for university presidents to meet and discuss issues, but does not include community colleges and most private institutions. Additionally, COPUM operates with no professional staff, and does not function in a manner that could be compared to, for example, the Council of Ontario Universities or Great Britain's Universities UK. Further, there are no other forums in Manitoba where officials below the presidential level (e.g., deans) meet to discuss common issues, agree on principles, and so forth. Thus, outside of the processes established by government, institutional stakeholders have no forums within which to develop perspectives and positions on post-secondary matters within Manitoba, whether reacting to matters raised by government or addressing other matters that emerge from within the system.

This situation places institutions in Manitoba at a tactical disadvantage in relation to government. The practices emerging in the post-COPSE era create the potential for government



to deal with what might otherwise be a system problem on an institution-by-institution basis, defeating in detail any objections that institutions may have with strategic direction set by government. In the long term, the lack of a unified voice for institutions in Manitoba's post-secondary system can provide government with considerable influence over the system. While there is more work that could be done to develop the concept, colleges and universities in Manitoba may be well counseled to establish an independent forum to develop unified positions on post-secondary matters.

Another dimension of the elimination of COPSE that could benefit from further research is the timing of the decision itself. Rounce (2013) notes accurately that post-secondary education in Manitoba is not traditionally a hot-button political issue. This raises the question, Why, late in a fourth mandate of a government that might face challenges to re-election, did government make major changes to the post-secondary system? Politically, what was in it for the governing New Democrats in Manitoba? From a policy perspective, what were the advantages to such speedy action? And why was it done in what can only be termed a sloppy manner, ignoring past precedent in terms of consultation? Where was the commission or task force on the subject that would have provided those detailed answers while at the same time shielding government from criticism, and pushing the matter to a point in time after the next election? Certainly it can be posited that the leadership crisis in Manitoba's NDP government in late 2014 did not help the situation. While the present article has sought structural and policy-related answers to the questions of why COPSE was eliminated, further research could lend additional perspective on the political dimension.

The present work suggests that the Government in Manitoba is exercising more authority over the post-secondary system—an observation that has also been made for other

Canadian jurisdictions (Trick, 2015). The governance of Manitoba's post-secondary system is in transition, although that transition was initiated without a strong sense of what is to come next and without a clear timetable to indicate when the transition has been completed. We are left with examining recent events in Manitoba's post-secondary system to identify clues as to the direction government is taking the system, and how the new governance system will function. The loss of COPSE means that institutions have lost a forum that was somewhat independent from government. Weak forums for institutional collaboration independent of government, reduced formal obligations for government consultation, and an increased role for the minister in post-secondary education have placed colleges and universities in a relatively weaker position in Manitoba than they were prior to the dissolution of COPSE.

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